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Respondent

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

ALBERT IAN SCHEWEITZER,	)	CIV. NO. 05-00065 DAE/LEK
	)	
Petitioner.	)	
	)	RESPONDENT STATE OF
vs.	)	HAWAII'S EXHIBIT LIST
	)	
JAMES COOK, JOHN F. PEYTON,	)	
	)	
Respondents.	)	
	)	
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RESPONDENT STATE OF HAWAII'S EXHIBIT LIST

## IN THE UNITED STATES DISTRICT COURT

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ALBERT IAN SCHEWEITZER,	)	CIV. NO. 05-00065 DAE/LEK
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Petitioner.	)	RESPONDENT STATE OF
	)	HAWAII'S EXHIBIT LIST
vs.	)	
	)	
JAMES COOK, JOHN F. PEYTON,	)	
	)	
Respondents.	)	
	)	

RESPONDENT STATE OF HAWAII'S EXHIBIT LIST

<u>No.</u>	<u>Filed</u>	<u>Description</u>
1.	04/24/00	Judgment of Defendant Albert Ian Schweitzer, Cr. No. 99-147.
2.	10/14/99	Judgment of Defendant Frank Pauline, Jr., Cr. No. 97-256.
3.	05/11/00	Judgment of Defendant Shawn Schweitzer, Cr. No. 99-147.
4.	05/15/00	Appellant's Opening Brief; Appendix A and Certificate of Service, No. 23465, Supreme Court of the State of Hawaii, Cr. No. 99-147.
5.	04/16/01	Appellant's Reply Brief; Appendix A and Certificate of Service, No. 23465, Supreme Court of the State of Hawaii, Cr. No. 99-147.
6.	03/22/00	Answering Brief of Plaintiff-Appellee State of Hawaii; Certificate of Service, No. 23465, Supreme Court of the State of Hawaii, Cr. No. 99-147.
7.	01/29/04	Summary Disposition Order, Supreme Court of the State of Hawaii, No. 23465, Cr. No. 99-147

8.	05/03/05	Findings and Recommendation to Dismiss Petition for Writ of Habeas Corpus by the United States Magistrate Judge, Civ. No. 05-00065, United States District Court, District of Hawaii.
9.	05/20/05	Petitioner's Notification of Court Regarding Findings & Recommendations to Dismiss Petition for Writ of Habeas Corpus (Second Amended Petition, Addenda), Civ. No. 05-00065, United States District Court, District of Hawaii.
10.		Index of Selected Trial Transcripts
11.	09/30/99  10/14/99  11/08/99  05/15/00	Index of Motion to Change Venue Materials A. Defendant Albert Ian Schweitzer's Motion to Change Venue; Declaration of James Biven; Memorandum in Support of Motion; Notice of Hearing; and Certificate of Service (Cr. No. 99-147). B. Supplemental Declaration of James Biven Regarding Motion to Change Venue; Certificate of Service; and Exhibit "A" (Cr. No. 99-147). C. Order Denying Without Prejudice Defendant Shawn Schweitzer's Motion for Change of Venue, and Order Denying Without Prejudice Defendant Albert Ian Schweitzer's Motion to Change Venue (Cr. No. 99-147). D. Order Denying Defendant Albert Ian Schweitzer's Motion for New Trial (Cr. No. 99-147).
12.		Index of Motions Filed by Petitioner's Counsel
13.	9/30/99	Defendant's Albert Ian Schweitzer's Notice of Alibi, Cr. No. 99-147, Third Circuit Court, State of Hawaii.
14.		Index of Jury Selection Materials.

		<p>A. Jury seating chart, Cr. No. 99-147, dated 01/18/00.</p> <p>B. Jury Panelist Questionnaires (in alphabetical order) for jury.</p> <p>C. Transcript of Proceedings held on December 21, 1999, Cr. No. 99-147, regarding Voir Dire Examinations of Emilio Agpaoa and Gwen Ancheta.</p> <p>D. Transcript of Proceedings held January 24, 2000, Vol. I, Cr. No. 99-147, regarding agreement excusing Gwen Ancheta from jury selection.</p> <p>E. Transcript of Proceedings held on December 22, 2000, Cr. No. 99-147, regarding Voir Dire Examination of Kathleen Colburn.</p> <p>F. Transcript of Proceedings held December 23, 1999, Cr. No. 99-147, regarding testimony of Harvey Fukushima.</p> <p>G. Transcript of Proceedings held January 5, 2000, Cr. No. 99-147, regarding testimony of Marcie Greenwell.</p> <p>H. Transcript of Proceedings held December 29, 1999, Cr. No. 99-147, regarding Voir Dire Examination of Robert Medeiros.</p> <p>I. Transcript of Proceedings held December 29, 1999, Vol. II, Cr. No. 99-147, regarding testimony of Joseph Nimori.</p> <p>J. Transcript of Proceedings held December 30, 1999, Cr. No. 99-147, regarding testimony of Gavin Okimura.</p> <p>K. Transcript of Proceedings held December 30, 1999, Cr. No. 99-147, regarding testimonies of Janice</p>
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15.		<p>Index of Alleged Leading Questions Argued in Petitioner's Opening Brief.</p> <p>A. Petitioner's Opening Brief at 12; (1/24/00 Tr. at 58) line 8.</p> <p>B. Petitioner's Opening Brief at 12; (1/24/00 Tr. at 63) line 24.</p> <p>C. Petitioner's Opening Brief at 14; (1/24/00 Tr. at 204) line 21.</p> <p>D. Petitioner's Opening Brief at 18, Footnote 36; (1/26/00 Tr. at 77) line 2; (1/26/00 Tr. at 79) line 8, 11, 20; (1/26/00 Tr. at 80) line 13, 22.</p> <p>E. Petitioner's Opening Brief at 22; (2/2/00 Tr. at 7) line 10, 15, 19).</p>
16.		<p>Index of Testimony of John Gonsalves.</p> <p>A. State of Hawaii's Motion to Allow Complete Testimony of Agreement of Witness John Gonsalves. (1/31/00)</p> <p>B. Court's granting of State's motion. (2/2/00 Tr. at 89) line 16; discussed in Petitioner's Opening Brief at 36.</p> <p>C. Actual testimony of John Gonsalves. (2/2/00 Tr. at 185) lines 8-23; discussed in Petitioner's Opening Brief at 36.</p>